

**BILL NO. 02-1**  
**As Amended**

COUNTY COUNCIL  
OF  
HARFORD COUNTY, MARYLAND

BILL NO. 02-01

Introduced by Council Member Miller

Legislative Day No. 02-2

Date: January 8, 2002

AN EMERGENCY ACT to repeal and reenact, with amendments, Section 267-87, Purpose, of Article XVII, Intent; and to repeal and reenact, with amendments, Section 267-93, Board approval required prior to permit issuance, of Article XIX, General Regulations, all of Part 4, Deer Creek Scenic River District, of Chapter 267, Zoning, of the Harford County Code, as amended; to provide that the intent of the Deer Creek Scenic River District is to preserve and protect the stream; to provide that the Advisory Board review and approve any proposed channelization, dam or other structure that may impede the natural flow within the stream; and generally relating to the Deer Creek Scenic River.

By the Council, January 8, 2002

Introduced, read first time, ordered posted and public hearing scheduled

on: February 5, 2002

at: 7:00 p.m.

By Order: James E. Massey, Jr., Council Administrator

**PUBLIC HEARING**

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on February 5, 2002 and concluded on February 5, 2002

James E. Massey, Jr., Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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## **As Amended**

Section 1. Be It Enacted By The County Council of Harford County, Maryland, That Section 267-87, Purpose, of Article XVII, Intent; and Section 267-93, Board approval required prior to permit issuance, of Article XIX, General Regulations, all of Part 4, Deer Creek Scenic River District, of Chapter 267, Zoning, of the Harford County Code, as amended, be, and they are hereby repealed and reenacted, with amendments, all to read as follows:

Chapter 267. Zoning.

Part 4. Deer Creek Scenic River District.

Article XVII. Intent.

Section 267-87. Purpose.

This Part 4 is enacted in furtherance of state law and the Master Plan for Harford County, and it is the purpose of this Part 4 to ensure the protection of private rights and the scenic river in a compatible, harmonious manner and to ensure that it is understood that the private property bounding Deer Creek is not to be public property and will not be such unless purchased by a governmental entity. THE INTENT IS TO PRESERVE DEER CREEK AS A FREE FLOWING STREAM, WITHOUT ADDITIONAL IMPOUNDMENTS OR DIVERSIONS, WITH THE EXCEPTION OF AGRICULTURAL USES, AND TO PRESERVE AND PROTECT ITS NATURAL AND CULTURAL VALUES FOR PRESENT AND FUTURE GENERATIONS.

Article XIX. General Regulations.

Section 267-93. Board approval required prior to permit issuance.

Except for the reasonable extension and maintenance or repair of existing buildings or dam structures, any new construction or commercial development within [one hundred fifty (150)] 150 feet of the normal banks of Deer Creek OR ANY PROPOSED CHANNELIZATION, DAM OR OTHER STRUCTURE IMPEDING THE NATURAL FLOW WITHIN THE STREAM

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1 DEER CREEK shall be reviewed and approved by the Advisory Board before issuance of a  
2 zoning or building permit, subject to prohibitions established by local, state or federal law and/or  
3 appeal to the Board of Appeals of Harford County.

4 ~~Section 2. And Be It Further Enacted, That this Act shall take effect 60 calendar days from the~~  
5 ~~date it becomes law.~~

6 Section 2. And Be It Further Enacted, That this Act is hereby declared to be an emergency act,  
7 necessary to protect and preserve the natural value of Deer Creek and the agricultural uses that  
8 are sustained by Deer Creek, and shall take effect on the date it becomes law.

EFFECTIVE: February 8, 2002

*The Council Administrator does hereby certify that  
fifteen (15) copies of this Bill are immediately available for  
distribution to the public and the press.*

  
Council Administrator

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HARFORD COUNTY BILL NO. 02-1

Brief Title) Deer Creek Scenic River District – Changes to Natural Flow

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

**CERTIFIED TRUE AND CORRECT**

**ENROLLED**

James E. Massey, Jr.  
Administrator

[Signature]  
Council President

Date 2-5-02

Date 2/5/02

**BY THE COUNCIL**

Read the third time.

02-4 (February 5, 2002)

Passed: \_\_\_\_\_

Failed of Passage: \_\_\_\_\_

By Order

James E. Massey, Jr.  
Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 7<sup>th</sup> day of February 2002, at 4:00 p.m.



James E. Massey, Jr.  
Council Administrator

**BY THE EXECUTIVE**

[Signature]  
COUNTY EXECUTIVE

APPROVED: Date 02-08-02

**BY THE COUNCIL**

This Bill No. 02-1 As Amended, having been approved by the Executive and returned to the Council, becomes law on February 8, 2002.

James E. Massey, Jr., Administrator

EFFECTIVE DATE: February 8, 2002

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